

Serial No. 09/998,613
Docket No.

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **John Merrow Davies et al.**

Serial No.: **09/998,613**

Examiner: **S. A. Alam**

Filed: **November 30, 2001**

Group Art Unit: **2162**

Confirmation No.: **4910**

For: **VIRTUAL PRIVATE SUPPLY CHAIN**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Filed via EFS Web
Date Sent: **June 9, 2009**

**REQUEST FOR CONSIDERATION OF PATENT TERM ADJUSTMENT PURSUANT TO 37
CFR §1.702**

Dear Sir:

In accordance with the provisions of 37 C.F.R. §1.702, Applicants respectfully request that the Patent Term Adjustment calculated by the Commissioner in the above referenced Application be reconsidered. Currently, this application is entitled to a seven hundred fifty three (753) day Patent Term Adjustment as set forth and calculated on the attached Exhibit "A". Applicants believe they are entitled to an **additional** patent term adjustment.

Applicants respectfully assert that they are entitled to an estimated **additional** patent term adjustment of one thousand seven hundred fifty (1750) days pursuant to 37 CFR §1.703(b), which states, in relevant part: "[t]he period of adjustment under §1.702(b) is the number of days, if any, in the period beginning on the day after the date that is three (3) years

after the date on which the application was filed under 35 U.S.C. 111(a) or the national stage commenced under 35 U.S.C. 371(b) or (f) in an international application and ending on the date a patent was issued.” This brings the total patent term adjustment, to which Applicants are entitled, to two thousand five hundred three (**2503**) days ($753 + 1750 = 2503$). Applicants' estimated **additional** patent term adjustment is based on the projection that this patent will issue on the Tuesday before the date that is 28 weeks after the mailing date of the Notice of Allowance.

In support of this request, Applicants submit the following information:

Date of Filing:	November 30, 2001
Three Year Anniversary of Pendency:	November 30, 2004
Date of Issuance (estimated based on the projection that the patent will be issued on the Tuesday before the 28 weeks from the mailing date of the Notice of Allowance on March 9, 2009):	September 15, 2009
Days between day after Three Year Anniversary of Pendency date and date of issuance (estimated):	1750

Applicants reserve the right to petition for any further patent term adjustment if the patent issues after the estimated September 15, 2009 date (i.e., on the Tuesday before the 28 weeks from the mailing date of the Notice of Allowance).

Serial No. 09/998,613
Docket No.

Patent

The Commissioner is hereby authorized to charge any deficiencies of fees and credit of any overpayments to Deposit Account No. 50-0436.

Respectfully Submitted,

/Bryan T. Giles, Reg. No. 60078/
Bryan T. Giles, Reg. No. 60,078

Date: **June 9, 2009**

PEPPER HAMILTON LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103-2799
215.981.4153 (Telephone)
610.640.7835 (Facsimile)

EXHIBIT A

09/998,613 VIRTUAL PRIVATE SUPPLY CHAIN

06-08-
2009::12:47:17**Patent Term Adjustments**

Patent Term Adjustment (PTA) for Application Number: 09/998,613

Filing or 371(c) Date:	11-30-2001	USPTO Delay (PTO) Delay (days):	920
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	167
Post-Issue Petitions (days):	+0	Total PTA (days):	753
USPTO Adjustment(days):	+0	Explanation Of Calculations	

Patent Term Adjustment History

Date	Contents Description	PTO(Days)	APPL(Days)
03-09-2009	Mail Notice of Allowance		
03-05-2009	Document Verification		
03-05-2009	Notice of Allowance Data Verification Completed		
02-26-2009	Date Forwarded to Examiner		
02-12-2009	Response after Non-Final Action		
02-13-2009	Mail Examiner Interview Summary (PTOL - 413)		
02-12-2009	Examiner Interview Summary Record (PTOL - 413)		
02-03-2009	Mail Non-Final Rejection		
02-02-2009	Non-Final Rejection		
12-24-2008	Date Forwarded to Examiner		
12-17-2008	Response after Non-Final Action		
12-02-2008	Mail Notice of Informal or Non-Responsive RCE Amendment		
12-01-2008	Notice of Informal or Non-Responsive RCE Amendment.		
12-01-2008	Date Forwarded to Examiner		
12-01-2008	Date Forwarded to Examiner		
11-30-2008	Request for Continued Examination (RCE)		30
12-01-2008	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)		↑
11-30-2008	Request for Extension of Time - Granted		↑
11-30-2008	Workflow - Request for RCE - Begin		↑
07-31-2008	Mail Final Rejection (PTOL - 326)		↑
07-30-2008	Final Rejection		
05-09-2008	Date Forwarded to Examiner		
03-07-2008	Amendment After Brief		
01-30-2008	Exam. Ans. Review Complete		
01-10-2008	Mail Examiner's Answer	419	
01-07-2008	Examiner's Answer to Appeal Brief	↑	
11-05-2007	Date Forwarded to Examiner	↑	
09-07-2007	Appeal Brief Filed	↑	
11-05-2007	Mail Notice of Rescinded Abandonment	↑	
11-05-2007	Notice of Rescinded Abandonment in TCs	↑	

10-17-2007	Mail-Petition to Revive Application - Granted	↑	
10-17-2007	Petition to Revive Application - Granted	↑	
09-07-2007	Petition Entered	↑	
09-05-2007	Correspondence Address Change	↑	
09-05-2007	Change in Power of Attorney (May Include Associate POA)	↑	
03-29-2007	Mail Abandonment for Failure to Respond to Office Action	↑	
03-28-2007	Abandonment for Failure to Respond to Office Action	↑	
08-09-2006	Notice -- Defective Appeal Brief	↑	
08-08-2006	Appeal Brief Review Complete	↑	
08-08-2006	Date Forwarded to Examiner	↑	
07-17-2006	Defective / Incomplete Appeal Brief Filed	↑	
07-17-2006	Appeal Brief Filed	↑	
05-18-2006	Notice of Appeal Filed		
02-24-2006	Mail Final Rejection (PTOL - 326)		
02-21-2006	Final Rejection		
02-08-2006	Information Disclosure Statement considered		
02-08-2006	Information Disclosure Statement (IDS) Filed		75
02-08-2006	Information Disclosure Statement (IDS) Filed		
12-07-2005	Date Forwarded to Examiner		↑
11-25-2005	Response after Non-Final Action		↑
11-25-2005	New or Additional Drawing Filed		
08-25-2005	Mail Non-Final Rejection		
08-22-2005	Non-Final Rejection		
07-20-2005	Case Docketed to Examiner in GAU		
07-20-2005	Date Forwarded to Examiner		
06-15-2005	Request for Continued Examination (RCE)		62
07-20-2005	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)		↑
06-15-2005	Request for Extension of Time - Granted		↑
06-15-2005	Workflow - Request for RCE - Begin		↑
05-26-2005	Mail Advisory Action (PTOL - 303)		↑
05-24-2005	Advisory Action (PTOL-303)		↑
03-15-2005	Date Forwarded to Examiner		↑
03-08-2005	Amendment after Final Rejection		↑
01-14-2005	Mail Final Rejection (PTOL - 326)		↑
01-10-2005	Final Rejection		
12-22-2004	IFW TSS Processing by Tech Center Complete		
12-22-2004	Date Forwarded to Examiner		
09-14-2004	Response after Non-Final Action		
10-06-2004	Case Docketed to Examiner in GAU		
09-14-2004	Workflow incoming amendment IFW		
06-14-2004	Mail Non-Final Rejection	501	

06-10-2004	Non-Final Rejection	↑
10-03-2003	Case Docketed to Examiner in GAU	↑
02-19-2002	Case Docketed to Examiner in GAU	↑
12-19-2001	Application Dispatched from OIPE	↑
12-18-2001	Application Is Now Complete	↑
12-06-2001	IFW Scan & PACR Auto Security Review	↑
11-30-2001	Initial Exam Team nn	↑

Close Window